

Guest column: Florida's incarcerated must be vaccinated

Your view

Jennifer L. Brinkley

Florida is home to the third-largest prison system within the United States, incarcerating approximately 96,000 inmates. As of Feb. 4, the Florida Department of Corrections (FDC) website reports 17,767 incarcerated individuals have tested positive with COVID-19 since March 2020. Twenty-four institutions have active cases, with 107 people currently in medical isolation due to confirmed or suspected COVID-19 cases. There have been 205 deaths of incarcerated people reported. The FDC employs approximately 24,000 individuals. Staff at Florida prisons have been impacted with 5,234 who tested positive since March 2020. At least six corrections staff have died.

According to the COVID Prison Project, 14 states/territories have included incarcerated populations as part of their Phase 1 vaccine distribution. Florida, however, is listed as not including incarcerated people in any phased plans for vaccine distribution. On Dec. 10, 2020, Gov. Ron DeSantis released a statement providing an update on the COVID-19 vaccine distribution plan stating Florida was receiving 179,400 doses of the Pfizer vaccine. His top priority was vaccinating individuals in long-term facilities, citing they were at the “greatest risk.” Health care workers, elderly individuals, and those with significant comorbidities were listed as additional top priorities. Prisoners, and the staff working within Florida’s prisons, were not mentioned.

Conditions in prisons do not exist in a vacuum. Staff go in and out, from work to home and back, potentially bringing the virus with them. Lack of sanitizer, masks and soap help the virus spread. Overcrowding makes social distancing improbable, especially in dormitory-style prisons, with congregate settings and poorly ventilated spaces. The individuals who are incarcerated are extremely vulnerable in defending themselves against COVID-19.

Inmates have always been at the mercy of the state regarding the care they receive while housed in state prisons. The pandemic, however, has created an obligation on FDC and state government to go above and beyond normal precautions to keep inmates safe. This obligation must involve a written, deliberate vaccine distribution plan to inoculate this vulnerable population.

On Jan. 6, Florida Corrections Secretary Mark Inch specifically requested that Florida prisoners aged 65 and older receive the vaccine. There are elderly inmates, with significant co-morbidities, within the walls of Florida prisons. Inch identified 4,169 inmates who would fit the age group category prescribed by the DeSantis administration.

Experts from seven of the nation's top universities released a white paper on Dec. 16, 2020 outlining why incarcerated persons and correctional staff should be included in the same early phase distribution of the vaccine as essential workers/first responders. The group submits "prioritizing vaccines for those who live and work in corrections will reduce serious complications from COVID-19 in correctional settings and may also reduce transmission to surrounding communities."

Many may shrink at the idea of prioritizing incarcerated populations before residents who have not been convicted of felony offenses. However, that type of thought process fails to understand the scientific evidence behind preventing community spread. It also fails to identify incarcerated populations as vulnerable. Prisons are not places apart from communities. There should be no dispute that inmate health and safety rely solely upon what the state will do. Because of that, it is our moral and ethical obligations to prioritize incarcerated populations in vaccine distribution.

Bryan Stevenson, attorney and founder/executive director of the Equal Justice Initiative says it best: The true measure of our character is how we treat the poor, the disfavored, the accused, the incarcerated, and the condemned. How will Florida's character be measured in responding to COVID-19?

Jennifer L. Brinkley is an assistant professor of Legal Studies at the University of West Florida.